

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
Case No. 3:23-CV-83**

**STEPHANIE WALKER**

**Plaintiff**

**v.**

**CITY OF CHARLOTTE, NORTH  
CAROLINA**

**Defendant**

**MOTION TO CONTINUE  
TRIAL DEADLINES**

**NOW COMES** Plaintiff, Stephanie Walker, by and through Counsel, and pursuant to F. R. Civ. P. Rule 6(b)(1)(A) and LCvR 7.1, respectfully moves this Court to continue Pre-Trial Order deadlines.

On September 13, 2024, the Defendant filed a Rule 56 Motion (Doc. 30) and the hearing for that motion was heard by this Court on November 7, 2024. At the hearing, this Court asked for briefing by the parties and set the case on for trial on February 18, 2025. (Doc. 39).

Pursuant to the Pretrial Order and Case Management Plan (Doc. 25), parties are obligated to meet certain pretrial deadlines for reports, discovery, etc. These obligations begin on January 28, 2025.

Previously, Plaintiff's counsel emailed the Court's chambers and notified the Court that Plaintiff's counsel is scheduled for trial beginning on February 17 in NC state court: *Hurd v. Priority Automotive Huntersville, Inc.*, 19-CVD-12741, a case that was filed 5 years ago and needs resolution. The Court alerted counsel that if the Defendant's Rule 56 motion was denied and the case continued, Plaintiff would be allowed to move to continue the trial to the April 21, 2025, docket.

Based on that, Plaintiff's attorney has left the country to assist a friend in a personal matter, and will return hopefully on the 25th or 26th of January 2025. This leaves no realistic room to

complete the pretrial deadlines in an accurate and orderly fashion. Since the Plaintiff will move to continue the trial date or the case will be in appeal, the February 18, 2025, pretrial deadlines have become moot. Therefore, the Plaintiff asks that the deadlines be continued or perhaps stayed until the court enters its order on the Rule 56 motion and the Plaintiff has a chance to move the Court for a continued trial date. The Plaintiff raises the possibility of a stay because Plaintiff's counsel is scheduled for a trial in the Western District of North Carolina on May 5, 2027, in *Hammond v. Bank of America, N.A.*, 3:23-CV-00809-RJC-DCK. Two federal trials two weeks apart will be a hardship for a small firm. Plaintiff prays that the Court would consider this as well.

Plaintiff's counsel has conferred with Defendant's counsel and the Defendant DOES NOT oppose the relief requested in this motion.

**WHEREFORE**, the Plaintiff respectfully moves this Court to continue or stay the pretrial order deadlines until the court enters its order on the Rule 56 motion and the Plaintiff has a chance to move the Court for a continued trial date, and for such other and further relief as may be necessary, just, and proper.

**TODAY** is January 16, 2025.

**WILLIAMS & PERRY**

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**CERTIFICATION REGARDING USE OF ARTIFICIAL INTELLIGENCE**

Pursuant to the June 18, 2024 Standing Order of this Court In Re: Use of Artificial Intelligence, 3:24-MC-104, counsel, the undersigned affirms the following:

1. No artificial intelligence was employed in performing the research for the preparation of this Memorandum of Law, with the exception of such artificial intelligence as may be embedded in the standard on-line legal research sources such as Westlaw, Lexis, FastCase, and Bloomberg;
2. Every statement and every citation to an authority contained in this Memorandum has been checked by an attorney in this firm and/or a paralegal working at the case attorney's direction as to the accuracy of the proposition for which it is offered, and the citation to authority provided.

**TODAY** is January 16, 2025.

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**MOTION FOR EXTENSION OF TIME**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was filed electronically via CM/ECF with the United States District Court, Western District of North Carolina, with notification being sent electronically to all counsel of record.

**TODAY** is January 16, 2025.

**WILLIAMS & PERRY**

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